

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
:
v. :
: 1:20CR348-1
ELOY ALBERTO ZAYAS-BERRIER :
:

JOINT STATUS REPORT

Pursuant to the applicable Scheduling Order, counsel for the defendant and counsel for the United States inform the Court as follows:

- A plea agreement has been signed and filed.
- The parties have agreed on a plea agreement and a written plea agreement will be filed no later than December 4, 2020.
- The defendant intends to plead guilty without a written plea agreement.

If any of the above three boxes is checked, check at least one box below:

- the defendant consents to a video conference Rule 11 hearing.
 - the defendant is or will be ready to proceed with a Rule 11 hearing as soon as an in-person hearing can be scheduled.
- The matter is not ready for Rule 11 hearing or trial because: see below.
- there is a pending motion which must be resolved. The motion is on the docket at Doc.
- The motion does does not require a hearing at which the defendant must be present.
- There are outstanding discovery issues which must be resolved.

- The defendant does not intend to plead guilty and the case needs to be set for jury trial.
- The parties have discussed the requirements of the Speedy Trial Act and
 - The United States [] has filed [] intends to file a motion to exclude time from Speedy Trial Act calculations, to which the defendant will not or does not object.
 - There are no Speedy Trial Act issues. *See* 18 U.S.C. § 3161(h)(2).
- Other information relevant to scheduling: The government and the defendant have executed a pretrial diversion agreement. The defendant is currently in compliance with the terms of that agreement. Assuming the defendant continues to remain in compliance through the four-month term of the agreement (which ends on or about August 19, 2021) and the probation office notifies the government as such, the government anticipates filing a motion to dismiss this matter with prejudice shortly thereafter.
- If either party expects to file a motion to continue.

This the 28th day of July, 2021.

SANDRA J. HAIRSTON
Acting United States Attorney

/S/ STEPHEN T. INMAN
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Assistant Federal Public Defender
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Kathleen A. Gleason, AFPD

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